



**Testimony
Elizabeth Gara
Connecticut Water Works Association
Before the
Housing Committee
February 14, 2013**

Re: HB-6121, AN ACT CONCERNING AFFORDABLE HOUSING DEVELOPMENTS WITHIN WATERSHED AREAS.

The Connecticut Water Works Association (CWVA), a trade association of private, municipal and regional water companies, supports HB-6121 which seeks to protect the purity and integrity of Connecticut's water resources.

Connecticut has made tremendous strides in protecting open space and watershed lands to preserve the state's natural resources for future generations. Although we understand and support the special considerations in Connecticut's law aimed at promoting affordable housing opportunities for individuals, as stewards of the state's water resources, we are also concerned that high density developments on watershed land could undermine the protection of Connecticut's public water supplies.

Under current law, Class I and Class II watershed land that is owned by a water company is protected from any development or activities that may undermine the quality of the public water supply source. However, some watershed land is privately owned and is not afforded the same level of protection.

Connecticut has long recognized the effects that local land use decisions have on the availability and quality of the state's public water supplies and other water resources. As such, numerous state, federal and local laws have been adopted to protect public water supplies from contamination and degradation. For example, Connecticut law requires applicants before Zoning, Planning & Zoning and Zoning Boards of Appeals to notify water companies regarding proposed activities. This helps water companies provide municipal officials with information on whether a proposed land use activity may undermine the quality and protection of public water supplies or whether design and operational safeguards should be required to protect such supplies.

Consistent with the goal of protecting the state's public water supplies, a recent court decision, *Eureka V, LLC v. Planning and Zoning Commission of Ridgefield et al.*, held that a proposed housing development must be subject to the one unit per two acres limitation in a drinking water watershed.

Originally, the developer proposed a high-density development in the Saugatuck River Watershed which would have posed a genuine threat to public water supplies. In the decision, Judge Henry S. Cohn wrote, "The protection of state water resources is not only consistent with, but a focus of state laws. The protection of a source of public drinking water clearly outweighs the need for affordable housing."

CWVA therefore supports HB-6121, which is consistent with this decision and which will help protect the purity and integrity of our public water supplies.